IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE NINTH DAY OF AUGUST
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE GODA RAGHURAM

-

WRIT PETITION NO : 17464 of 2005

Between:

Sunny Graphics, 22/50/A, Eenadu Colony, rep., by its Proprietor T.Vijaya Babu, s/o Dasaratharamaiah,
Vivekananda Nagar, Kukatpally, Hyderabad.

..... PETITIONER

AND

1. Bharat Sanchar Nigam Limited, rep., by its Chief Manager,

Telecom District, Ananthapur.
2. The Sub Divisional Engineer (Marketing) o/o G.M.Telecom

District, BSNL, Anantapur.
3. A.G.(OP & CS), o/o General Manager, B.S.N.L.Anantapur,

Ananthapur District.

.....RESPONDENTS

ORDER:

The petitioner admittedly defaulted in compliance with an essential prerequisite in the submission of his tender, namely he failed to attach to the tender, while submitting the same on 13.05.2005, a demand draft for Rs.551/- (drawn on any nationalized bank in favour of the specified authority of the respondents), as required in terms of the notice inviting tenders, dated 27.04.2005. The petitioner was a bidder for printing and supply of Telephone Directory with yellow pages of Anantapur Telecom District. He claims to be the lowest among the tenderers, but was unsuccessful, on account of the respondents' rejection of his bid.

In view of the fact that the tender furnished by the petitioner was demonstrably unacceptable being contrary to the terms of the tender, the petitioner cannot have a legal grievance and therefore, is not entitled to a Mandamus.

The Writ Petition is dismissed at the stage of admission. The respondents shall take effective steps for refunding to the petitioner whatever amounts he is legally entitled to, out of the earnest money or other deposits made by him in the submission of his tender.

_____

09-08-2005

kvrm